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ART UNIT	PAPER NUMBER

2756

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/276,016

Applicant(s)

PASQUALL

Examiner

Beatriz Prieto

Group Art Unit

2756

☒ Responsive to communication(s) filed on Jul 15, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-20 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

***Detailed Action***

***Drawings***

1. Drawings have been objected to by the Draftsperson under 37 CFR 1.84 or 1.152, correction noted on PTO-948 is required.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11-20, 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubinstein et. al. (Rubinstein) U.S. Patent No. 5,913,215 in view of Osaku et. al. (Osaku) U.S. Patent No. 6,061,738.

*Regarding claim 11 and 16, Rubinstein discloses substantial features of the invention as claimed;*

*Rubinstein teaches a method of using a network content search engine (abstract, col 3/lines 1-15), comprising the steps of: (a) a said software package (generated method/apparatus computer implemented, i.e. software package: col 2/lines 58-61) facilitating construction of a navigation sentence via selection of pre-configured sentence parts (abstract), said pre-configured sentence parts (col 2/lines 28-67, pre-configured keyword/phrases) including said at least one network navigation destination instruction (col 12/lines 45-66); and (b) accessing a second network location based on said at least one network navigation destination instruction (col 4/lines 19-31, accessing using a browser program running on the client-side via Url, i.e. navigation destination instruction), disclosing where pre-configured sentence parts (keyword/phrases) which already have associated at least one network navigation destination instruction (Url), wherein the selection includes Url executed by client user interface/browser programs, facilitating the construction navigation sentences;*

*However Rubinstein does not explicitly teach where a first network location is accessed to receive said software package, serving said software to the client processing system to run thereby;*

*Osaku teaches a communication data/access retrieval system/method for accessing information via Url's, disclosing means for accessing a first network location to receive/download a software package (col 24/lines 48-col 25/line 1), serving said software to a client processing system to be run thereby, wherein software package includes said at least one network navigation destination instruction (Url), additionally disclosing a method of using a network content search engine (col 6/lines 20-32) associated with a database module (Fig. 7, element 132, 134) that includes a second network location via a network navigation destination instruction (Url), initiated*

within a client-side system running in accordance with a WWW browser software application (col 4/lines 50-54, 62-64, browser accessing means via Url: col 5/lines 4-7);

It would have been obvious to one ordinary skilled in the art at the time the invention was made to modify Rubinstein's system with means for accessing a first network location to receive said software package via WWW client-browser application as taught by Osaku because by doing, applets comprising said software package may be used these known in the art to have platform independent merits that enable said software program to run on any operating system, motivation would be to add functionality to existing client-browser software application's location address field by storing/updating said navigational destination instructions obtained by said software program locally, increasing system time-response and making better utilization of bandwidth resources, both performance and cost-efficient desirable merits.

*Regarding claim 12, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein step (a) is initiated within a client-side-system running in accordance with a WWW browser software application (Osaku: col 24/line 48-25/line 1, col 4/lines 50-64, Rubinstein: abstract, computer-user means).*

*Regarding claim 13, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein step (b) is initiated within a client-side system running in accordance with a WWW browser software application (Rubinstein: col 4/lines 19-31, browser access second location content provider, col 10/lines 25-41).*

*Regarding claim 14, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said at least one network navigation destination instruction is a uniform resource locator (URL) (Rubinstein: col 4/lines 19-31).*

*Regarding claim 15, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said software package includes said at least one network navigation destination instruction (Osaku: col 24/lines 48-col 25/line 1).*

*Regarding claim 16, limitations are substantially the same and/or have been discussed when addressing claim 11 above.*

*Regarding claim 17, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein a software system adapted to be downloaded to a network client system running in accordance with a network client application to facilitate access to a network content source (Osaku: receive/download a software package col 24/lines 48-col 25/line 1, serving said software to a client processing system to be run thereby, wherein software package includes Url initiated within a client-side system running in accordance with a WWW browser software application col 4/lines 50-54, 62-64, browser accessing means via Url: col 5/lines 4-7), comprising: a database module having a database of destination navigation instructions (Rubinstein: Fig. 7, 134, holding Urls at client, Fig. 27 element 498, Osaku: database comprising Urls, col 27/lines 40-45), said destination navigation instructions corresponding to network content sources (Rubinstein: col 4/lines 19-23, 27-31, accessing using a browser program running on the client-side via Url, to access content source), and a search sentence construction module permitting construction of a search sentence corresponding to at least one of said destination navigation*

*instructions (Rubinstein: col 2/lines 28-43, 63-67, pre-configured keyword/phrases, including Urls col 12/lines 45-66), said at least one destination navigation instruction adapted to be processed within said network client application to access said network content source (Rubinstein: col 4/lines 19-23, 27-31).*

*Regarding claim 18, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said database module includes values corresponding to sentence parts that may be assembled to correspond to said destination navigation instructions. (Rubinstein: Fig. 7, 134, holding Urls at client, Fig. 27 element 498, Osaku: database comprising Urls, col 27/lines 40-45)*

*Regarding claim 19, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said database module includes a reference to a network resource having values corresponding to sentence parts that may be assembled to correspond to said destination navigation instructions (Rubinstein: Fig. 7, 134, holding Urls at client, Fig. 27 element 498, Osaku: database comprising Urls, col 27/lines 40-45, said destination navigation instructions corresponding to network content sources, Rubinstein: col 4/lines 19-23, 27-31, accessing using a browser program running on the client-side via Url, to access content source, where network resource have values corresponding to the keywords assembled to correspond to said destination instruction/Url, col 5/lines 4-21).*

*Regarding claim 20, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said search sentence construction module includes instructions to control said network client application to permit graphical user interface (GUI) selection of sentence parts (Rubinstein: software package: col 2/lines 58-61, facilitating construction of a navigation sentence via selection of pre-configured sentence parts (abstract), said pre-configured sentence parts col 2/lines 28-43, 63-67, pre-configured keyword/phrases, including said at least one network navigation destination instruction col 12/lines 45-66, Fig. 2-3, 5-7, 9-14, dialog box, GUI selection means: col 13/lines 16-34).*

*Regarding claim 1, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein a system for building and executing a network navigation instruction via corresponding sentence construction (Rubinstein: search engine/query expression: abstract, col 2/lines 28-57, 63-67), comprising: a server data processing system (Osaku: Fig. 25, Web servers, 472-486, Rubinstein: col 14/lines 27-40) having at least one database storing navigation options and corresponding navigation destination instructions (Rubinstein: col 14/lines 47-56, Osaku: col 24/lines 8-39, Fig. 25, 478); and a client data processing system (Osaku: Fig. 25, clients 464-470) coupled to the server data processing system via an electronic data network (Osaku: Fig. 25, data network 476) and configured with at least one program, said at least one program (Osaku: Fig. 27, 500, browser program) causes said client data processing system to access said server data processing system to load said navigation options and said corresponding navigation destination instructions into a local data storage facility (Rubinstein, col 14/lines 27-40, Osaku: Fig. 27, 498 local cache, col 9/lines 30-39), to facilitate construction of a navigation sentence via selection of pre-configured sentence parts, said pre-configured sentence parts including a destination corresponding to at least one of said navigation options and said corresponding navigation destination instructions (Rubinstein: col 2/lines 28-43,*

63-67, col 12/lines 45-66), *whereby said client data processing system retrieves network content based on said navigation sentence and said destination thereof* (Rubinstein: col 6/lines 34-44, 50-54, accessing means: col 4/line 19-31).

*Regarding claim 2, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said client data processing system retrieves said network content via a WWW site* (Rubinstein: abstract) *and said electronic data network* (Osaku: col 6/lines 5-14, Fig. 25, client 464-470, coupled to servers 474-486 comprising network content, via data network 476).

*Regarding claim 3, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said destination instructions include links to content accessible via said electronic data network, said at least one program further configured to traverse said links* (Rubinstein: col 14/lines 27-40).

*Regarding claim 4, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said links are uniform resource locators (URLs)* (Rubinstein: col 14/lines 27-40, 47-56).

*Regarding claim 5, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein selection of said sentence parts is realized via pull-down dialogs within a graphical user interface provided within said client data processing system* (Rubinstein: Fig. 2-3, 5-7, 10-15, client user interface software, window-based environment col 5/lines 31-43, Osaku: client: col 4/lines 10-12, window-based environment/operating system: 10/lines 8-26 (i.e. graphical user interface)).

*Regarding claim 6, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein said graphical user interface is provided within a WWW site review window* (Rubinstein: col 4/lines 19-31) *of a running WWW browser software package* (Rubinstein: col 14/lines 47-56).

*Regarding claim 7, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein a network content search engine adapted to facilitate Internet and WWW content searching* (Rubinstein: col 3/lines 1-13, Osaku: client-server communication via Internet: Fig. 25), *comprising: a software package configured to be downloaded to a client data processing system* (Osaku: col 24/lines 48-col 25/line 1, Rubinstein: software package: col 2/lines 58-61, facilitating construction of a navigation sentence via selection of pre-configured sentence parts, abstract), *said software package including at least one network navigation destination instruction* (Rubinstein: pre-configured sentence parts col 2/lines 28-43, 63-67), *said software package facilitating client-side construction of a navigation sentence via selection of pre-configured sentence parts* (Rubinstein: abstract), *said pre-configured sentence parts including said at least one network navigation destination instruction* (Rubinstein: pre-configured keyword/phrases, including said at least one network navigation destination instruction, col 12/lines 45-66), *whereby network content is retrieved based on said navigation sentence and said at least one network navigation destination instruction* (Osaku: col 24/line 48-col 25/line 1,

col 4/lines 50-54, 62-64, Rubinstein: abstract, computer-user means network content retrieval via Urls).

*Regarding claim 8, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, wherein the network content search engine as discussed above, wherein said network navigation destination instruction is a uniform resource locator (URL) (Rubinstein: col 4/lines 19-23, 27-31).*

*Regarding claim 9, the combined teachings of Rubinstein and Osaku disclose substantial features of the invention as discussed above, the network content search engine as discussed above, wherein selection of said pre-configured sentence parts is realized via pull-down dialogs within a graphical user interface provided within a client data processing system (Rubinstein: Fig. 2-3, 5-7, 9-14, dialog box, GUI selection means: col 13/lines 16-34).*

*Regarding claim 10, this limitation is substantially the same as claim 6, same rationale is applicable.*


**Citation of Pertinent Art:**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure; Copies of documents cited will be provided as set forth in MPEP§ 707.05(a):

Ref A: U.S. Patent No. 5,418,950

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beatriz Prieto whose telephone number is (703) 305-0750. The Examiner can normally be reached on Monday-Friday from 7:30 to 4:30 p.m. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Glenton B. Burgess, can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-9731. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

  
B. Prieto  
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